

BILL NO. X-70-09-10

ANNEXATION ORDINANCE NO. X-35-70

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 6.

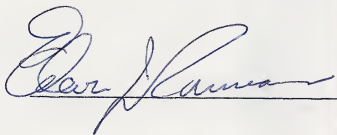
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the South right-of-way line of Paulding Road with the West line of the East half of the Northeast quarter of Section 30, Township 30 North, Range 13 East; thence South along the West line of the East half of the Northeast quarter of Section 30, Township 30 North, Range 13 East to its intersection with the South line of the North half of Section 30, Township 30 North, Range 13 East; thence East along the South line of the North half of Section 30, Township 30 North, Range 13 East, said line projected East to its intersection with the East right-of-way line of Hessen Cassel Road; thence North along the East right-of-way line of Hessen Cassel Road to its intersection with the Westerly extension of the most Northerly line of Casselwood Terrace Addition; thence East on the said Westerly extension of the most Northerly line of Casselwood Terrace Addition produced East to its intersection with the West line of the East half of the Northwest quarter of Section 29, Township 30 North, Range 13 East; thence North along the West line of the East half of the Northwest quarter of Section 29, Township 30 North, Range 13 East to its intersection with the South right-of-way line of Paulding Road; thence West along the South right-of-way line of Paulding Road to its intersection with the West line of the East half of the Northeast quarter of Section 30, Township 30 North, Range 13 East, said point also being the point of beginning, containing approximately 120 acres of land, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 6 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

A handwritten signature in blue ink, appearing to read "Earl H. Lawrence", written over a horizontal line.

APPROVED AS TO FORM
AND LEGALITY

A handwritten signature in blue ink, written over a horizontal line.
CITY ATTORNEY

Read the first time in full and on motion by Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Annexation (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the _____ day of _____ 196 70, at _____ o'clock P.M., E.S.T.

Date: 9-8-70

Thad H. Bonahoom
City Clerk

Read the third time in full and on motion by Rousseau seconded by Gerke and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES 7, NAYS 0, ABSTAINED _____, ABSENT 2 to-wit:

Adams	<u>✓</u>	_____	_____	_____
Dunifon	<u>✓</u>	_____	_____	_____
Fay	_____	_____	_____	<u>✓</u>
Geake	<u>✓</u>	_____	_____	_____
Nuckols	<u>✓</u>	_____	_____	_____
Robinson	_____	_____	_____	<u>✓</u>
Rousseau	<u>✓</u>	_____	_____	_____
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 12-15-70

Thad H. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~)(General)(Annexation)(~~Special~~)(Appropriation) Ordinance (Resolution) No. X 35-70

on the 9-15-70 day of December, 1970.

ATTEST:

(SEAL)

Thad H. Bonahoom
City Clerk

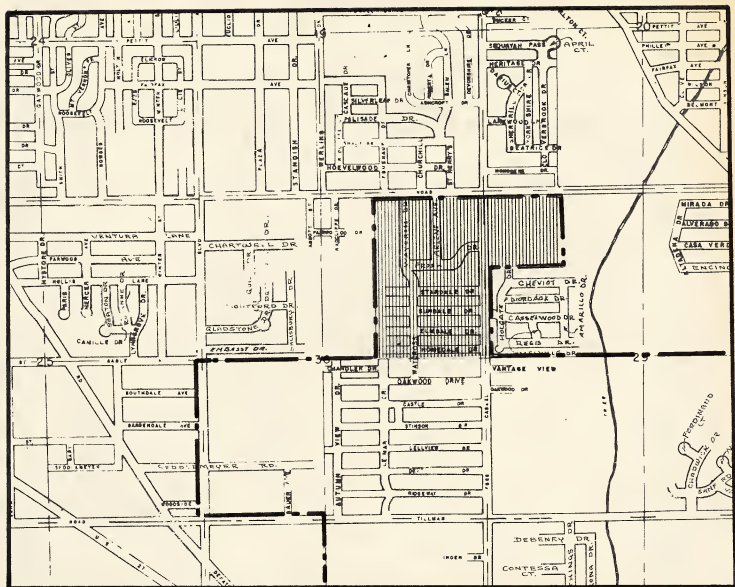
Robert H. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of December, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Thad H. Bonahoom
City Clerk

Approved and signed by me this 22nd day of December, 1970, at the hour of 4:06 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor



—— EXISTING CORPORATE LIMITS
 ▨ PROPOSED CORPORATE LIMITS

Bill No. X-70-09-10

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance

annexing certain territory to the City of Fort Wayne, and including the same in

Councilmanic District No. 6,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

WILLIAM K. GEAKE, Vice-Chairman

JACK K. DUNIRON

JOHN NUCKOLS

JOHN H. ROBINSON

Edwin J. Rousseau
W. K. Geake
Jack K. Duniron
John Nuckols

CONCURRED IN

DATE 12-15-20 RUAD G. BONAHOOM, CITY CLERK

COMMITTEE REPORT

ANNEXATION ORDINANCE NO. X-70-09-10

After reviewing the Annexation Report, it is the opinion of this Committee that the area proposed to be annexed by Bill No. X-70-09-10 does meet the criteria for annexation as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHTH (1/8) OF THE AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

This area is contiguous to the City on its northern-eastern and western boundaries for approximately seventy five percent (75%) of the total boundary area.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

Unity of interest implies persons, and since a large percentage of persons in the area work, shop, and receive most of their recreational activities inside the City of Fort Wayne, the unity of interest does exist.

3. THE CITY MUST DESIRE TO ANNEX THE AREA:

If the City Council, being the Legislative Branch, and the Mayor, being the head of the Administrative Branch, pass and approve the annexation ordinance annexing this area, it would certainly indicate that the City desires to annex the area.

4. THE ADVANTAGES TO THE AREA PROPOSED FOR ANNEXATION MUST OUTWEIGH THE DISADVANTAGES:

The only disadvantage to the annexation would be from the standpoint of taxes. All of the advantages of annexation such as City services, received for the increased taxes, would outweigh the disadvantages. These services would include increased fire protection, which cannot be measured in terms of dollars and cents where life and property are involved, increased street maintenance, street lighting, fire and police alarm systems, garbage collection, police service, both emergency as well as routine patrols, and various other municipal services that are only provided within a municipality.

5. THE ADVANTAGES TO THE CITY MUST OUTWEIGH THE DISADVANTAGES:

The advantages to the City would outweigh the disadvantages in that the City would be continuing to realize a normal, active growth from the standpoint that development will take place around the City, whether the City wants it or not. The only complications that might arise are when the areas around the City either incorporate as separate communities

or maintain an independent status and thereby prohibit the natural growth and expansion of the City proper.

6. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE:

Since the net annual income to the City would be approximately \$37,710.00 after capital expenditures, the deficit of income against expense to the City would finance the needed capital improvements in the area, the deficit of income against expense to the City would not be unreasonable.

7. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES:

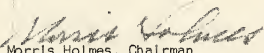
The present policy of the City of Fort Wayne with regard to providing governmental and proprietary services to newly annexed areas is that these services will be provided immediately.

8. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR
THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES,
OR
THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED:

This area contains approximately 120 acres, or .19 square miles. The population for this area is estimated at 532 persons, therefore the resident population is greater than three (3) persons per acre.

Based upon the above reasoning, it is the recommendation of this Committee that the area proposed for annexation by Bill No. X-70-09-10 does meet the criteria for annexation and therefore, should be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be enacted so as to become effective immediately.

Respectfully submitted,


Morris Holmes, Chairman
Annexation Committee

LOCATION: An area bounded by Paulding Road on the north, and existing corporate limits on the east and west.

SIZE: Approximately 120 acres or .19 square miles.

POPULATION: Assuming a factor of 3.5 persons per dwelling unit, the estimated population is 532 persons.

BUILDINGS:

<u>Type</u>	<u>Number</u>	<u>Condition</u>
Residential	152	Good - Excellent
Commercial	*	Good - Excellent

* There is a shopping center located at the south east corner of Paulding and Hessen Cassel Road, also, a new bank to be located at the southwest corner.

STREETS & ROADS:

<u>Jurisdiction</u>	<u>Number of Miles</u>	<u>Condition</u>
County	2.52	Poor - Good

ZONING: Of the net area, 9.1% is zoned "R3" - Multiple Family Residential, The remaining 90.9% is zoned "RA" - Residence A.

LAND USE:

<u>Type</u>	<u>Present Occupancy</u>	
	<u>Acres</u>	<u>%</u>
Residential	48	39.9
Commercial	49	41.0
Streets & Roads	14	11.6
Vacant	9	7.5
	120	100

URBAN SERVICES:

SEWERS: Presently, the area east of Hessen Cassel Road is served by City storm and Sanitary sewers. The Continental Park area is also served by City storm and sanitary sewers. The Hickory Grove area is within the I.S.S. Private Sewer franchise area and therefore restricts extension of city facilities.

WATER: A 12" water main exists on Paulding Road and a 16" main on Hessen Cassel Road. There are 6" mains in some of the streets in this area. Adequate water is available to serve this area.

POLICE PROTECTION: Based on a cost of \$12.50 per person, it would cost approximately \$6,650.00 to provide this service.

FIRE PROTECTION: Based on a cost of \$33,044.00 per square mile, it would cost approximately \$2,973.00 to provide this service.

FIRE ALARM BOXES: This area would require 9 alarm boxes at a cost of \$,4500.00 plus a yearly maintenance cost of \$450.00.

STREETS: Based on an annual maintenance cost of \$1,500.00 per mile, It would cost approximately \$3,780.00 to provide this service.

STREET LIGHTING: This area would require 14 street lights at a cost of approximately \$,4000.00.

GARBAGE COLLECTION: This area contains 152 dwelling units. At a cost of \$12.99 per unit, It would cost \$1,974.38 to provide this.

SCHOOLS: No change.

ASSESSED VALUATION:

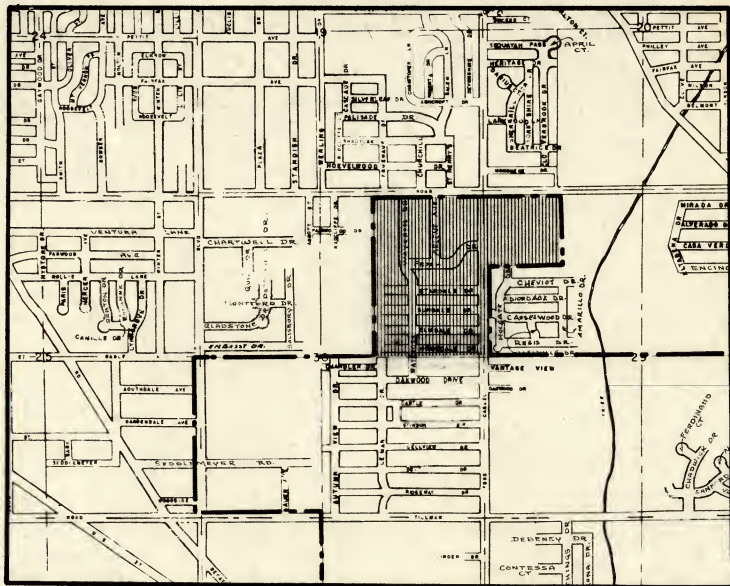
Land and Improvement (Actual)	\$1,325,800.00
Privately Owned Utility Equipment	
Indiana & Michigan Electric Company	21,812.00
N I P S C O (Gas Company)	16,492.00
General Telephone	<u>43,092.00</u>
	\$1,407,196.00

EXPECTED REVENUE:

Property Taxes (\$3.04 per \$100.00)	\$ 42,775.84
Alcoholic Gallonage Tax	1,952.00
Gasoline Tax	715.20
Cigarette Tax	<u>4,325.16</u>
	\$ 49,768.20

SUMMARY:

<u>Services to be supplied</u>	<u>Expenditures</u>	
	<u>Capital</u>	<u>Operating</u>
Police Protection	\$ -0-	\$ 6,650.00
Fire Protection	-0-	2,973.00
Fire Alarm Boxes	4,500.00	450.00
Garbage Collection	-0-	1,974.38
Street Lights	<u>4,000.00</u>	<u>-0-</u>
	\$8,500.00	\$12,047.38
EXPECTED REVENUE	\$	49,768.20
NET ANNUAL INCOME TO CITY (After First Year)	\$	37,710.82
CAPITAL EXPENDITURES	\$	<u>8,500.00</u>
NET ANNUAL INCOME TO CITY (First Year)	\$	29,210.82



— — — — — EXISTING CORPORATE LIMITS
 ■■■■■■■■ PROPOSED CORPORATE LIMITS

Date January 3, 1971

Title _____
CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 19 71

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Notice is hereby given that on the 15th day of December 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation ordinance, to-wit: Bill No. X-70-09-10

AN ANNEXATION ORDINANCE NO. X-35-70
AN ORDINANCE annexing certain territory to the City of Fort Wayne, Indiana, and including the same in Councilmanic District No. 6.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the Intersection of the South right-of-way line of Paulding Road with the West line of the East half of the Northeast quarter of Section 30, Township 30 North, Range 13 East; thence South along the West line of the East half of the Northeast quarter of Section 30, Township 30 North, Range 13 East to its intersection with the South line of the North half of Section 30, Township 30 North, Range 13 East; thence East along the South line of the North half of Section 30, Township 30 North, Range 13 East, said line projected East to its Intersection with the East right-of-way line of Western Cassel Road; thence North along the East right-of-way line of Western Cassel Road to its intersection with the East line of the extension of the most Northerly line of Casselwood Terrace Addition produced East to its Intersection with the West line of the East half of the Northwest quarter of Section 29, Township 30 North, Range 13 East; thence North along the West line of the East half of the Northwest quarter of Section 29, Township 30 North, Range 13 East to its Intersection with the South right-of-way line of Paulding Road; thence West along the South right-of-way line of Paulding Road to its Intersection with the West line of the East half of the Northeast quarter of Section 30, Township 30 North, Range 13 East, said point also being the point of beginning, containing approximately 120 acres of land, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 6 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

Edwin J. Rousseau, Councilman.
Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:
Ayes, seven: Adams, Dunifon, Geake, Nuckolls, Rousseau, Steigerwald, Tipton.
Nays, none.
Absent two, to-wit: Councilmen Fay and Robinson.

Fuad G. Bonahoom, City Clerk.
Date: 12-15-70.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as an Annexation Ordinance No. X-35-70 on the 15th day of December, 1970.

ATTEST: (SEAL)

Herbert G. Tipton, Presiding Officer.

Fuad G. Bonahoom, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of December, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom, City Clerk.

Approved and signed by me this 22nd day of December, 1970, at the hour of 4:00 o'clock P.M., E.S.T.

Harold S. Zels, Mayor.

I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-35-70 passed by the Common Council on the 15th day of December 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 23rd day of December, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of December, 1970.

SEAL Fuad G. Bonahoom, City Clerk.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

LINE COUNT

Head	number of lines
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Tail number of lines

Total number of lines in notice

109 lines, columns wide equals equivalent lines at 288
cents per line

31.39

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

31.39

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions.....2

Size of quad upon which type is cast...5¹/₈.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 8, 1971

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 1971

Notary Public

My commission expires March 8, 1974

**All Items
Subject To
Prior Sale**

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 8, 19 71Title Clerk**Legals**

Notice is hereby given that on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation Ordinance, to-wit:

ANNEXATION ORDINANCE

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 6.

BEE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 2. Said annexed territory shall be part of Councilmanic District No. 6 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

Edwin J. Rousseau, Councilman.
Read the third time in full and on motion by Rousseau seconded by Geatz and adopted, placed on its passage.
Passed by the following vote:

Ayes, seven: Adams, Dunlap, Geatz, Nuckols, Rousseau, Steigerwald, Tipton.
Nays, none.

Absent two, to-wit: Councilmen Fay and Robinson.

Fuad G. Bonchom, City Clerk.

Date: 12-15-70.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-35-70 on the 15th day of December, 1970.

ATTEST: (SEAL)

Herbert G. Tipton, Presiding Officer.

Fuad G. Bonchom, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of December, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonchom, City Clerk.

Approved and signed by me this 2nd day of December, 1970, at the hour of 4:06 o'clock P.M., E.S.T.

Harold S. Zels, Mayor.

I, Fuad G. Bonchom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-35-70 passed by the Common Council on the 15th day of December, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 16th day of December, 1970 and now re-sold on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of December, 1970.

SEAL: Fuad G. Bonchom, City Clerk.

1228 - 1-4

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 19 71

Edith Stapleton

Notary Public

My commission expires March 8, 1974

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA.....

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

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108

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109

COMPUTATION OF CHARGES

109 lines, columns wide equals.....equivalent lines at ~~288¢~~ 31.39
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

31.39

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date, January 8, 1971

Title Clerk

Legals

Notice is hereby given that on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation ordinance, to-wit:

ANNEXATION ORDINANCE
NO. X-35-70
AN ORDINANCE annexing certain

LOOK-OUT

YEAR'S EVE

TONIGHT!

7-15-9:30

LAST 4 DAYS!

Produced by DE LUKE

Production

An

Indo Premier

7-15-9:30

LAST 4 DAYS!

TONIGHT!

7-15-9:30

LAST 4 DAYS!

TONIGHT!

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 19 71My commission expires March 8, 1974

Notary Public